

THIRTY-FIFTH DAY

(Continued)

Wednesday, March 15, 1967

After Recess

The Senate met at 10:40 o'clock a.m. and was called to order by the President.

House Bill 207 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 207, A bill to be entitled "An Act authorizing incorporated cities, towns and villages, by majority vote of the qualified voters of any such city, town or village, voting at an election held for that purpose, to impose a local sales and use tax of one per cent (1%) on the sale or use of certain tangible personal property in such cities, towns and villages; providing for the abolition of the local sales and use tax authorized herein by majority vote of the qualified voters of any such city, town or village; etc., and declaring an emergency."

The bill was read second time.

Question—Shall H. B. No. 207 be passed to third reading?

Reports of Standing Committees

Senator Herring by unanimous consent submitted the following reports:

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. C. R. No. 37, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 280, have had the same

under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 291, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 191, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 385, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 397, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 205, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 379, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 236, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 234, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 369, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
March 14, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 517, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to which was referred S. B. No. 155, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Reagan by unanimous consent submitted the following report:

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Banking, to which was referred S. B. No. 214, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REAGAN, Chairman.

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 16, Petitioning the

Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

H. B. No. 287, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas System to acquire by purchase, exchange, gift or otherwise certain properties to be used for campus expansion and University purposes in The University of Texas System; vesting title in the Board of Regents of The University of Texas System; and declaring an emergency."

H. B. No. 278, A bill to be entitled "An Act changing the period of living apart without cohabitation as a ground for divorce; amending Article 4629, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 188, A bill to be entitled "An Act relating to automobile mileage expenses for county auditors; amending Title 34, Revised Civil Statutes of Texas, 1925, by adding a new Article 1650a; and declaring an emergency."

H. B. No. 91, A bill to be entitled "An Act amending Paragraphs 18 and 26 of Section 12, Article I, and amending Section 25, Article I, of the Texas Liquor Control Act, to change the hours of the day during which the sale or delivery of any liquor is prohibited and to prohibit such sale or delivery on certain days; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 37, A bill to be entitled "An Act relating to interpreters for deaf and severely hard-of-hearing persons taking state examinations; and declaring an emergency."

H. B. No. 689, A bill to be entitled "An Act concerning the taking of oysters from the water of Chambers and Galveston Counties, Texas; providing penalties; amending Sections 1 and 5, Chapter 217, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

H. J. R. No. 17, A Joint Resolution proposing an amendment to Section 49-b, Article III, of the Constitution of Texas so as to authorize an increase in the total amount of bonds

or obligations that may be issued by the Veterans' Land Board to Four Hundred Million Dollars (\$400,000,000.00); providing for the issuance of said bonds or obligations and the conditions relating thereto and the use of the Veterans' Land Fund; and providing for an election and the issuance of a proclamation therefor.

S. B. No. 19, A bill to be entitled "An Act requiring the identification of practitioners of the healing arts who are included and excluded under the medical coverage provided in an accident and sickness insurance policy; amending Chapter 397, Acts of the 54th Legislature, 1955, by adding Subsection B to Section 2, as amended (Article 3.70-2, Vernon's Texas Insurance Code), and by amending Section 8 (Article 3.70-8, Vernon's Texas Insurance Code); providing an effective date, with certain approval authority in the State Board of Insurance as authorized by this Act; repealing laws in conflict; and declaring an emergency."

(With Amendment.)

The House has adopted the Conference Committee Report on Senate Bill No. 64 by a vote of 141 ayes, 4 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Conference Committee Report on Senate Bill 64

Senator Parkhouse by unanimous consent submitted the following Conference Committee Report on S. B. No. 64:

Austin, Texas,

March 14, 1967.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 64 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

WADE
RATLIFF
PARKHOUSE

MAUZY
GROVER

On the part of the Senate.

FIELD
BRAECKLEIN
McKISSACK
KOHLER
ORR

On the part of the House.

S. B. No. 64, A bill to be entitled "An Act authorizing cities with a population of 600,000 or more according to the then last preceding federal census to incur total bonded indebtedness in an amount not exceeding ten (10%) per cent of the total assessed valuation of property shown by the last assessment roll of such a city, notwithstanding the limit of total bonded indebtedness fixed in dollars by the city charter is a lesser amount; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. This Act shall be applicable to all cities having a population of six hundred thousand (600,000) or more according to the then last preceding Federal census.

Section 2. Any such city shall be authorized to incur total bonded indebtedness by the issuance of tax supported bonds, whether voted prior to or after the effective date of this Act, in an amount not exceeding ten (10%) per cent of the total assessed valuation of property shown by the last assessment roll of such city, notwithstanding that the limit of total bonded indebtedness fixed in dollars by the City Charter is a lesser amount.

Section 3. The fact that there is an imperative need for the power conferred hereby in metropolitan cities affected by this Act whose needs are urgent and whose tax structures will justify additional services to their citizens and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report

was read and was adopted by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Berry	Kennard
Blanchard	Mauzy
Brooks	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	Word

Absent

Bernal

Bill and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolutions:

H. C. R. No. 65, Commending the Scottish Rite Freemasons.

S. C. R. No. 38, Memorial resolution for Karl St. John Hoblitzelle.

S. C. R. No. 34, Memorial resolution for Vincent W. Miller.

S. C. R. No. 33, Inviting Ambassador Edward Clark to address a Joint Session of the 60th Legislature at his convenience.

S. B. No. 21, A bill to be entitled "An Act amending Sections 1, 4, 5, and 7, Chapter 323, Acts of the 59th Legislature, Regular Session, 1965 (Article 6144g, Vernon's Texas Civil Statutes), to establish the Texas Fine Arts Commission on a permanent basis, provide for its meetings, permit appropriations from state funds for the Commission and eliminate requirement of maintaining an office in Austin; and declaring an emergency."

Senate Resolution 256

Senator Aikin offered the following resolution:

Whereas, The Honorable Coke R. Stevenson, former Member of the House of Representatives, former

Speaker of the House of Representatives, former Lieutenant Governor and former Governor of Texas will be honored at the dedication of an Official Texas Historical Marker on March 19, 1967 at Junction, Texas; and

Whereas, The Senate desires to express appreciation for the service of a fine man, a highly capable public official and real statesman; and

Whereas, This body over which he presided is desirous of extending hearty congratulations on this occasion; now, therefore, be it

Resolved, That we extend our sincere and hearty congratulations to Governor Stevenson and appreciation to the Texas Historical Survey Committee for making this occasion possible; and be it further

Resolved, That a copy of this resolution be forwarded to Governor Stevenson at his home in Junction, Texas.

AIKIN
HARDEMAN
WORD

The resolution was read and was adopted.

Senate Resolution 257

Senator Hardeman offered the following resolution:

Whereas, March 20, 1967, marks the anniversary of the birth of a distinguished statesman of this State who has served it in many capacities, including County Judge of Kimble County, State Representative, Speaker of the House of Representatives, Lieutenant Governor and Governor; and

Whereas, Former Governor Coke Stevenson resides in Kimble County with his wife and his daughter, Jane, where he engages in ranching and in the practice of law; and

Whereas, It is the desire of the Senate of Texas, over which he was a former presiding officer, to extend congratulations to former Governor Stevenson on his birthday anniversary and to wish him well in all things; now, therefore, be it

Resolved by the Senate of Texas, That it does hereby extend its congratulations and good wishes to Governor Stevenson on such occasion, and that a copy of this Resolution under

the Seal of the Senate be transmitted to him.

HARDEMAN
AIKIN
PARKHOUSE
HAZLEWOOD

Signed—Lieutenant Preston Smith; Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Committee to Escort the Honorable George L-P Weaver

The President announced the appointment of the following as a committee to escort the Honorable George L-P Weaver to the President's Rostrum pursuant to the provisions of S. R. No. 247:

Senators Schwartz, Jordan and Mauzy.

Address by the Honorable George L-P Weaver

The President presented Senator Schwartz and he introduced the distinguished guest, George L-P Weaver, Assistant Secretary of Labor for International Affairs, and listed some of the many services, accomplishments and awards that have been presented to Mr. Weaver.

Mr. Weaver addressed the Senate as follows:

"It is indeed a great honor to say a few words before this distinguished legislative body.

"One has the feeling, on entering this historic State Capitol building, of appearing before the Senate of the State of Texas, of being at one of the sources of our nation's strength. The roots of Texas are deeply inter-twined with those of America, and it is symbolic to me that at this juncture of history a great Texan leads our country.

"No other state in the Union can surpass Texas in its rugged determination to be strong and free. The lessons of Texas history are familiar to us all. The legends of the Alamo and the Battle of San Jacinto stand as testimony to the stubborn and restless urge that built our country.

"One of the great figures in American history is the hero of Texas independence, Sam Houston. At the cost of his own political career, he upheld the principle of one nation, indivisible, at a time when the storm clouds of secession and civil war were darkening the land.

"The courage and principles of Sam Houston still permeate this State. They find expression in the Governor's office, and in this legislative body.

"Your action in voting overwhelmingly to repeal certain segregation laws, and your passage of a bill prohibiting discrimination in State employment, is in the best tradition of Sam Houston—in the finest tradition of the first citizen of Texas, the President of the United States.

"The same spirit, I believe, is inherent in the bills now being considered by this body which would establish a minimum wage and which would promote industrial safety throughout the State.

"Whereas, once cattle and oil were the primary products of Texas, today, as a result of a succession of Texas leaders, this is one of the Nation's major industrialized States with a wide range of diversified agriculture and industry.

"Therefore, progress such as is being exhibited in his own home State greatly enhances the President's voice within the family of nations. And today, as we help many countries seek answers to perplexing economic and social problems, this is particularly relevant.

"It is crucial that our President speak from a position of strength in our dealings with other nations. This is especially true when it comes to our most pressing international problem—Vietnam.

"As we think of Vietnam, we recall that it was exactly 20 years ago this week that our country began to fulfill its destiny of world responsibility and leadership.

"In 1947, President Truman marked

our emergence as a leader in the world community by enunciating the Doctrine that today bears his name. At that time he told the country and the world:

'I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by outside pressures.'

"This policy was accepted by the American people and has been implemented by each succeeding President. The Marshall Plan for rebuilding war-shattered Europe was an outgrowth of this policy. So, too, was our commitment to aid South Korea in the early 1950's when the Communist North attempted to overrun that country. A direct response to this policy, also, was the formation of NATO—the North Atlantic Treaty Organization, and SEATO—the South-east Asia Treaty Organization. As one remembers those exciting and productive years, and remembers the long service and leadership of Speaker Sam Rayburn.

"It is in the spirit of this same policy that President Johnson is fulfilling our country's commitment to protect the integrity of the Republic of South Vietnam, and to halt the aggression of Communist North Vietnam.

"Many of you here today probably know the President of the United States as well or better than most of us, and I am sure you are aware that above all else he is obsessed in his search for peace. But he knows that peace does not come cheaply or easily.

"The President referred to this last week when he said: "Peace, an honorable peace, must sometimes be bought at a price. And it must not be the price of a temporary lust for popularity."

"One is again reminded of Sam Houston whose personal popularity was the last thing on his mind when he took his stand against secession. Although he sacrificed his popularity and political career, Houston emerged with his integrity.

"Today the stakes are infinitely higher. And like Sam Houston, no "lust for popularity" can sway another Texan from fulfilling his responsibility, as he sees it, to the heritage of America.

"I think you all have cause to be proud that this same spirit that built

Texas, carried forward today by Governor Connally, strengthens our country in these difficult times.

"Thank you for the privilege of allowing me to share these thoughts with you today."

The President presented Mr. Weaver an enrolled copy of S. R. No. 247, stating that the Senate was honored that he had come our way and expressed appreciation for his kind remarks.

At Ease

The President announced at 11:10 o'clock a.m. that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The President called the Senate to order as In Legislative Session at 11:20 o'clock a.m.

Senate Concurrent Resolution 41

Senator Herring offered the following resolution:

S. C. R. No. 41, Congratulating University of Texas students who appeared on the General Electric College Bowl.

Whereas, The University of Texas has been brilliantly represented by a team of four students on the General Electric College Bowl television program for the past five weeks, and these fine young Texans have returned triumphantly home as retired champions, making the University of Texas the third institution of higher learning in the United States to achieve this signal honor in the nine-year history of this award-winning educational program; and

Whereas, This team was composed of Barbara Ann Carroll, daughter of Mr. and Mrs. Theron Carroll of Austin, a Senior Plan II major; Carl Dwight Clark, son of Mr. and Mrs. L. T. Clark of Richardson, Texas, a Sophomore English and Philosophy major; Buford Taylor, son of Mr. and Mrs. Paul G. Taylor of Phoenix, Arizona, a Junior Government major; and Thomas Hazen Edwards, son of Mr. and Mrs. Donald A. Edwards of Tulsa, Oklahoma, a Sophomore Sociology and Philosophy major; and their alternates were Norman Bonner, Dixie Cobb, D. Kris Morrison, and Howard Kreisner; and

Whereas, Dr. Douglas Morgan, Professor of Philosophy at the University of Texas, was the very able faculty advisor for this team achievement; and

Whereas, The opponents faced and defeated by this brilliant group of students were St. Mary's College of Notre Dame, the University of Omaha, Mary Baldwin College, the University of Pennsylvania, and Capital University, and with each successive win, a scholarship award was given in their names to the University of Texas in recognition of their meritorious performance, resulting in a total award fund of \$10,500.00, along with a handsome silver trophy to be retained by the University of Texas; and

Whereas, In demonstrating their superior academic talents, these students have brought prestige and honor to their Alma Mater, pointing up her excellence in education and raising the stature of higher learning in our Lone Star State, focusing nationwide attention on the University of Texas and enhancing her reputation in the eyes of the world; and

Whereas, "Hook 'em Horns" is destined to take on a scholarly connotation on the historic Forty Acres, as evidenced by the brilliant orange lights of the University Tower during the time that these fine representatives have been successfully engaged in this competitive endeavor; and

Whereas, It is our desire to share the celebration of their achievement and we are delighted to honor them on this occasion; and now, therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, extend to these outstanding young people our congratulations and admiration on this unequalled record; and be it further

Resolved, That a copy of this Resolution be prepared for the members of the College Bowl team and their alternates, their faculty advisor, their parents, the Chancellor of the University of Texas, the Chairman of the Board of Regents, and the President of General Electric Corporation, and that a page in the Senate Journal be set aside to permanently record their academic feat; and be it further

Resolved, That every good wish for their future be extended to each of these outstanding young men and

women as they embark on their respective careers.

The resolution was read.

On motion of Senator Herring and by unanimous consent the resolution was considered immediately and was adopted.

Senator Herring by unanimous consent presented the guests to the Members of the Senate and requested that Thomas Edwards, captain of the team, and Dr. Douglas Morgan, faculty advisor, be requested to address the Senate.

Senator Herring escorted Mr. Edwards and Dr. Morgan to the President's Rostrum.

The President presented Senator Herring and he introduced Mr. Edwards. Mr. Edwards addressed the Senate, stating that the students were proud to represent the State of Texas and the State University and expressed appreciation for the interest of the Members of the Senate.

Senator Herring then presented Dr. Morgan. Dr. Morgan addressed the Senate as a representative of the faculty and administration of the University and thanked the Members of the Senate for their cooperation and hard work in making possible this honor to the State.

House Bill 207 on Second Reading

The Senate resumed the consideration of the pending business (same being H. B. No. 207, on its second reading).

Question—Shall H. B. No. 207 be passed to third reading?

Senator Patman, stating that he had a Privileged Motion, was recognized by the President and moved that S. B. No. 207 be postponed until 10:00 o'clock a.m. on May 1, 1967.

Pending discussion by Senator Patman of his motion to postpone, Senator Christie raised the Point of Order that a Motion to Postpone was not a Privileged Motion.

The President sustained the Point of Order.

Question—Shall H. B. No. 207 be passed to third reading?

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 79, A bill to be entitled "An Act relating to the election of school trustees in certain counties; and declaring an emergency."

(With Amendment.)

S. B. No. 36, A bill to be entitled "An Act relating to the election of school trustees for The Fort Worth Independent School District by repealing Section 10 of Chapter 230 of the Local and Special Laws of the 39th Legislature as embodied in an Act passed in the regular session thereof; etc.

Unanimous consent granted to amend caption of S. B. No. 19 to conform to body of bill.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 207 on Second Reading

The Senate resumed consideration of the pending business (same being H. B. No. 207 on its second reading).

Question—Shall H. B. No. 207 be passed to third reading?

Senator Schwartz, stating that he had a Privileged Motion, moved that H. B. No. 207 be set for Special Order at 10:00 o'clock a.m. on April 1, 1967.

Senator Christie raised the Point of Order that a Motion to Set as Special Order was not a Privileged Motion.

The President sustained the Point of Order.

Senator Patman offered the following amendment to the bill:

Amend H. B. No. 207 as follows:

(1) Strike the period at the end of Section 7 A and add the following:

"subject to the provisions of Section 8 of this Act."

(2) Strike the first word in Section 8 and substitute the following:

"A. Subject to the provisions of Subsection B of this section, each"

(3) Add Subsection B to Section 8 to read as follows:

"B. If a city, in the disposal of waste, is in violation of the act creating the State Water Pollution Control Board, the Texas Air Control Board, or the successor of either, or is in violation of duly promulgated rules and regulations of the State Water Pollution Control Board, the Texas Air Control Board, or the successor of either, the comptroller may not remit to that city its share of the local sales and use tax collected under this Act by the comptroller until the city's governing body certifies to the appropriate board that the city will remedy the condition responsible for the pollution or other violation."

The amendment was read.

Senator Christie raised the Point of Order that the amendment was not germane to the bill.

The President sustained the Point of Order.

Senator Kennard offered the following amendment to the bill:

Amend H. B. No. 207 by adding to paragraph 2 B the following:

"Provided, however, feed, seed, fertilizer and farm machinery and equipment shall be subject to taxation under the provisions of this Act."

The amendment was read.

Senator Schwartz moved that further consideration of H. B. No. 207 be postponed until 11:00 o'clock a.m. on April 6, 1967.

Question—Shall further consideration of H. B. No. 207 be postponed until 11:00 o'clock a.m. on Thursday, April 6, 1967?

Recess

Senator Patman moved that the Senate take recess until 2:30 o'clock p.m. today.

Senator Kennard moved that the Senate stand adjourned until 2:00 o'clock p.m. today.

Senator Aikin moved that the Senate take recess until 2:00 o'clock p.m. today.

Question first on the motion to adjourn until 2:00 o'clock p.m. today, "Yeas" and "Nays" were demanded.

The motion was lost by the following vote:

Yeas—13

Bates	Mauzy
Bernal	Moore
Brooks	Patman
Grover	Schwartz
Harrington	Strong
Jordan	Wilson
Kennard	

Nays—17

Aikin	Herring
Berry	Hightower
Blanchard	Parkhouse
Christie	Ratliff
Cole	Reagan
Creighton	Wade
Hall	Watson
Hardeman	Word
Hazlewood	

Absent

Connally

Question next on the motion to take recess until 2:30 o'clock p.m. today, the motion was lost.

Question next on the motion to take recess until 2:00 o'clock p.m. today, the motion prevailed.

Accordingly the Senate at 12:02 o'clock p.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 380, A bill to be entitled "An Act amending Chapter 197, Acts of the 58th Legislature, 1963, relating to the Port of Port Arthur Navigation District of Jefferson County,

Texas; etc.; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 173 Re-referred

On motion of Senator Hightower and by unanimous consent H. B. No. 173 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Transportation.

Bills Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 36, A bill to be entitled "An Act relating to the election of school trustees for The Fort Worth Independent School District; etc.; and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act authorizing cities with a population of 600,000 or more according to the last preceding federal census that have provisions in their charters limiting their total bonded indebtedness to fixed amounts in dollars to incur total bonded indebtedness in an amount not exceeding ten (10%) per cent of the total assessed valuation of property shown by the last assessment roll of such a city, notwithstanding the limit of total bonded indebtedness fixed in dollars by the city charter is a lesser amount; and declaring an emergency."

S. B. No. 380, A bill to be entitled "An Act amending Statutes relating to Port Arthur Navigation District of Jefferson County to authorize additional powers for the district, validating, etc., and declaring an emergency."

Report of Standing Committee

Senator Bates by unanimous consent submitted the following report:

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Transportation, to which was referred H. B. No. 173, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass, and be printed.

BATES
COLE
CHRISTIE
HALL

Address of Mr. Weaver Ordered Printed in Journal

On motion of Senator Jordan and by unanimous consent the address of Mr. Weaver to the Senate today was ordered printed in the Senate Journal.

House Bill 207 on Second Reading

The Senate resumed the consideration of the pending business (same being H. B. No. 207 on its second reading with an amendment by Senator Kennard pending and a motion by Senator Schwartz to postpone further consideration of H. B. No. 207 until 11:00 o'clock a.m. on Thursday, April 6, 1967).

Question—Shall further consideration of H. B. No. 207 be postponed until 11:00 o'clock a.m. on Thursday, April 6, 1967?

Pending discussion by Senator Schwartz of his motion to postpone, Senator Wilson moved that the Senate stand adjourned until 11:00 o'clock a.m. tomorrow.

Question on the motion to adjourn, "Yeas" and "Nays" were demanded.

The motion was lost by the following vote:

Yeas—12

Bates	Kennard
Bernal	Mauzy
Brooks	Patman
Grover	Schwartz
Harrington	Strong
Jordan	Wilson

Nays—18

Aikin	Hazlewood
Berry	Herring
Blanchard	Hightower
Christie	Parkhouse
Cole	Ratliff
Connally	Reagan
Creighton	Wade
Hall	Watson
Hardeman	Word

Absent

Moore

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Moore occupied the Chair.

(President in the Chair.)

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Reagan occupied the Chair.

(President in the Chair.)

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Reagan occupied the Chair.

(President in the Chair.)

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Ratliff occupied the Chair.

(President in the Chair.)

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Bernal moved that the Senate stand adjourned until 11:00 o'clock a.m. tomorrow.

Question on the motion to adjourn, "Yeas" and "Nays" were demanded.

The motion to adjourn was lost by the following vote:

Yeas—12

Bates	Kennard
Bernal	Mauzy
Brooks	Patman
Grover	Schwartz
Harrington	Strong
Jordan	Wilson

Nays—17

Aikin	Herring
Berry	Hightower
Blanchard	Parkhouse
Christie	Ratliff
Connally	Reagan
Creighton	Wade
Hall	Watson
Hardeman	Word
Hazlewood	

Absent

Cole	Moore
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Pending further discussion by Senator Schwartz of his motion to postpone, Senator Bernal moved that the Senate take recess until 9:30 o'clock p.m. today.

The motion was lost.

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Parkhouse raised the Point of Order that Senator Schwartz was not speaking on the Motion to Postpone.

The President warned Senator Schwartz to confine his remarks to the motion to postpone H. B. No. 207.

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Word occupied the Chair.

(President in the Chair.)

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Hightower raised the Point of Order that Senator Schwartz was not speaking on his motion to postpone H. B. No. 207.

The President requested Senator Schwartz to confine his remarks to the motion to postpone and stated that this was the second warning.

Pending further discussion by Senator Schwartz of his motion to postpone H. B. No. 207, there was a demonstration and applause by the persons in the gallery of the Senate.

The President gave a first warning to the persons in the gallery making the demonstration that if they did not refrain from such demonstrations, the Sergeant-at-Arms would clear the gallery.

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Kennard moved that the Senate stand adjourned to 9:30 o'clock p.m. today.

Question on the motion to adjourn, "Yeas" and "Nays" were demanded.

The motion was lost by the following vote:

Yeas—12

Bates	Kennard
Bernal	Mauzy
Brooks	Patman
Grover	Schwartz
Harrington	Strong
Jordan	Wilson

Nays—17

Aikin	Berry
-------	-------

Blanchard
Christie
Cole
Connally
Creighton
Hall
Hardeman
Hazlewood

Herring
Hightower
Parkhouse
Ratliff
Reagan
Wade
Word

Absent

Moore Watson

- Pending further discussion by Senator Schwartz of his motion to postpone, Senator Jordan asked unanimous consent to permit the Labor and Management Committee to meet while the Senate was in session.

There was objection.

Pending further discussion by Senator Schwartz of his motion to postpone H. B. No. 207, there was a further demonstration and applause by the persons in the gallery of the Senate.

The President gave a second warning to the persons in the gallery making the demonstration that if they did not refrain from such demonstration, the Sergeant-at-Arms would clear the gallery.

Pending further discussion by Senator Schwartz of his motion to postpone, Senator Aikin occupied the Chair.

(President in the Chair.)

On motion of Senator Schwartz and by unanimous consent the motion to postpone further consideration of H. B. No. 207 until 11:00 o'clock a.m., Thursday, April 6, 1967, was withdrawn.

Question—Shall the amendment by Senator Kennard to H. B. No. 207 be adopted?

Senator Wilson offered the following substitute for the pending amendment by Senator Kennard:

Amend H. B. No. 207 by adding a new section immediately following Section 12, to be known as Section 13 and renumbering all subsequent sections; such section to read as follows:

No city shall be eligible to call an election or levy the taxes under this act unless and until such city has ex-

hausted its present tax resources by (1) levying the maximum ad valorem tax rate permitted by law and (2) collecting such ad valorem taxes on an assessed valuation not less than Sixty (60%) percent of true value.

The substitute for the pending amendment was read.

Senator Hightower moved the Previous Question on all pending matters and the Previous Question was duly seconded.

Question—Shall the Previous Question now be ordered?

The Previous Question on all pending matters was ordered by the following vote:

Yeas—17

Aikin	Herring
Berry	Hightower
Christie	Parkhouse
Cole	Ratliff
Connally	Reagan
Creighton	Wade
Hall	Watson
Hardeman	Word
Hazlewood	

Nays—13

Bates	Kennard
Bernal	Mauzy
Blanchard	Patman
Brooks	Schwartz
Grover	Strong
Harrington	Wilson
Jordan	

Absent

Moore

Question—Shall the substitute amendment by Senator Wilson for the pending amendment by Senator Kennard be adopted?

Thursday, March 16, 1967

Pending further discussion by Senator Wilson of his substitute amendment to H. B. No. 207, Senator Kennard raised the Point of Order that there was not a quorum of the Senate present.

Senator Kennard then moved that the Senate stand adjourned until 11:00 o'clock a.m. today.

Question on the motion to adjourn, "Yeas" and "Nays" were demanded.

The motion to adjourn was lost by the following vote:

Yeas—9

Bernal	Patman
Brooks	Schwartz
Harrington	Strong
Jordan	Wilson
Kennard	

Nays—17

Aikin	Herring
Berry	Hightower
Blanchard	Parkhouse
Christie	Ratliff
Cole	Reagan
Connally	Wade
Creighton	Watson
Hall	Word
Hazlewood	

Absent

Bates	Mauzy
Grover	Moore
Hardeman	

Pending further discussion by Senator Wilson of his substitute for the pending amendment by Senator Kennard, Senator Word occupied the Chair.

(President in the Chair.)

Senator Patman moved that the Senate stand adjourned until 11:00 o'clock a.m. today.

Question on the motion to adjourn, "Yeas" and "Nays" were demanded.

The motion was lost by the following vote:

Yeas—2

Patman	Wilson
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Nays—17

Aikin	Herring
Blanchard	Hightower
Christie	Parkhouse
Cole	Ratliff
Connally	Reagan
Creighton	Wade
Hall	Watson
Hardeman	Word
Hazlewood	

Absent

Bates	Grover
Bernal	Harrington
Berry	Jordan
Brooks	Kennard

Mauzy	Schwartz
Moore	Strong

Senator Patman raised the Point of Order that the last roll call did not show a quorum of the Senate present.

The President directed the Secretary of the Senate to call the roll for the purpose of ascertaining if a quorum of the Senate was present.

The roll was called and the following Senators were present:

Aikin	Hightower
Blanchard	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Wade
Hall	Watson
Hardeman	Wilson
Hazlewood	Word
Herring	

Absent

Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Brooks	Moore
Grover	Schwartz
Harrington	Strong

Senator Hardeman then moved a Call of the Senate for the purpose of securing and maintaining a quorum pending the disposition of H. B. No. 207 and that the Sergeant-at-Arms be directed to bring in the absent Members to the Senate Chamber if in the city and not ill but if the absentees did not return voluntarily that they be arrested and brought back to the Senate Chamber and the motion was duly seconded.

Question—Shall a Call of the Senate be ordered?

A Call of the Senate was ordered by the following vote:

Yeas—17

Aikin	Herring
Blanchard	Hightower
Christie	Parkhouse
Cole	Ratliff
Connally	Reagan
Creighton	Wade
Hall	Watson
Hardeman	Word
Hazlewood	

Nays—2

Patman	Wilson
--------	--------

Absent

Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Brooks	Moore
Grover	Schwartz
Harrington	Strong

At Ease

The President announced at 2:45 o'clock a.m. that the Senate would stand At Ease pending the securing of a quorum.

(Senator Reagan in the Chair.)

(President in the Chair.)

In Legislative Session

The President called the Senate to order as In Legislative Session at 6:46 o'clock a.m.

The President recognized Senator Wilson to continue his discussion of his amendment to H. B. No. 207.

On motion of Senator Word and by unanimous consent the Call of the Senate was continued and the Sergeant-at-Arms was directed to bring in the absent Members to the Senate Chamber and that the Senate proceed with the regular business of the Senate.

Senator Patman raised the Point of Order that there was not a quorum of the Senate present.

The President directed the Secretary of the Senate to call the roll for the purpose of ascertaining if a quorum of the Senate was present.

The roll was called and the following Senators were present:

Aikin	Hightower
Berry	Moore
Blanchard	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Wade
Hall	Watson
Hardeman	Wilson
Hazlewood	Word
Herring	

Absent

Bates	Grover
Bernal	Harrington
Brooks	Jordan

Kennard
Mauzy

Schwartz
Strong

Pending discussion by Senator Wilson of his amendment, Senator Parkhouse raised the Point of Order that Senator Wilson was not speaking on his amendment.

The President warned Senator Wilson to confine his remarks to the subject of the amendment and stated that this was a first warning.

Pending further discussion by Senator Wilson of his amendment, Senator Hightower raised the Point of Order that Senator Wilson was not speaking on his amendment.

The President gave a second warning to Senator Wilson to confine his remarks to the subject of the amendment.

Pending further discussion by Senator Wilson of his amendment, Senator Hightower raised the Point of Order that Senator Wilson was not at his desk and was leaning on the railing.

The President stated that this was the third warning to Senator Wilson, and further stated that the Members of the Senate should decide whether Senator Wilson should be removed from the floor.

The question on whether Senator Wilson should be removed from the floor prevailed by the following vote:

Yeas—18

Aikin	Herring
Berry	Hightower
Christie	Moore
Cole	Parkhouse
Connally	Ratliff
Creighton	Reagan
Hall	Wade
Hardeman	Watson
Hazlewood	Word

Nays—9

Bates	Jordan
Bernal	Patman
Blanchard	Schwartz
Brooks	Wilson
Harrington	

Absent

Grover	Mauzy
Kennard	Strong

Question on adoption of the amendment by Senator Wilson, the amendment failed of adoption.

Record of Votes

Senators Schwartz, Patman, Harrington, Wilson, Brooks and Jordan asked to be recorded as voting "Yea" on the adoption of the amendment.

Question next recurring on the amendment by Senator Kennard, the amendment failed of adoption.

Question on the passage of H. B. No. 207 to third reading, "Yeas" and "Nays" were demanded.

The motion prevailed by the following vote:

Yeas—19

Aikin	Hazlewood
Bates	Herring
Berry	Hightower
Blanchard	Moore
Christie	Parkhouse
Cole	Ratliff
Connally	Reagan
Creighton	Wade
Hall	Word
Hardeman	

Nays—8

Bernal	Patman
Brooks	Schwartz
Harrington	Watson
Jordan	Wilson

Absent

Grover	Mauzy
Kennard	Strong

House Bill 213 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 213, A bill to be entitled "An Act repealing Section 4a of Acts 1961, 57th Legislature, 1st Called Session, page 38, chapter 15; and declaring an emergency."

The bill was read the second time.

Senator Creighton moved the Previous Question on the passage of H. B. No. 213 to third reading and the motion was duly seconded.

Question—Shall the Previous Question now be ordered?

The Previous Question was ordered by the following vote:

Yeas—16

Aikin	Herring
Berry	Hightower
Christie	Moore
Cole	Parkhouse
Connally	Ratliff
Creighton	Reagan
Hardeman	Wade
Hazlewood	Watson

Nays—11

Bates	Jordan
Bernal	Patman
Blanchard	Schwartz
Brooks	Wilson
Hall	Word
Harrington	

Absent

Grover	Mauzy
Kennard	Strong

The bill was passed to third reading.

Record of Votes

Senators Word and Hall asked to be recorded as voting "Nay" on the passage of H. B. No. 213 to third reading.

Memorial Resolution

S. R. No. 260—By Senator Watson: Memorial resolution for Mrs. Metta Elizabeth Larnce.

Welcome Resolutions

S. R. No. 253—By Senators Cole and Grover: Extending welcome to students of St. Rose of Lima School of Houston.

S. R. No. 254—By Senator Brooks: Extending welcome to students of Charles F. Hartman Junior High School of Houston.

S. R. No. 255—By Senator Brooks: Extending welcome to students of Eighth Grade Class of Seabrook Intermediate School.

S. R. No. 258—By Senator Herring: Extending welcome to students of Second Grade of Highland Park School of Austin.

S. R. No. 259—By Senator Watson: Extending welcome to students of Political Science Department of Baylor University of Waco.

S. R. No. 261—By Senator Hall: Extending welcome to Dr. John A. Guinn, President of Texas Woman's University, Dr. W. J. Eberly, L. L. Larue and students of Texas Woman's University.

S. R. No. 262—By Senator Herring: Extending welcome to Seventh and Eighth Grade Classes of the Florence Junior High School.

S. R. No. 263—By Senator Harrington: Extending welcome to Miss Johanna Liester and Miss Ramona Stark of Orange.

S. R. No. 264—By Senator Wilson: Extending welcome to the Honorable Jay Carby and Judge Peyton Walters and granting privileges of the floor.

Adjournment

On motion of Senator Creighton the Senate at 7:45 o'clock a.m. adjourned until 7:50 o'clock a.m. today.

Record of Vote

Senator Patman asked to be recorded as voting "Nay" on the motion to adjourn.

APPENDIX

Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 36, "An Act relating to the election of school trustees for the Fort Worth Independent School District by repealing Section 10 of Chapter 230 of the Local and Special Laws of the 39th Legislature as embodied in an Act passed in the regular session thereof and substituting in lieu thereof the following: providing that the Board of Education shall order such election, cause such order to be published in a newspaper at least 10 days previous to the election, naming the date within which candidates must file, appointing persons to hold

the election and the date and places where the polls shall be opened and further providing that all elections shall be held, on the first Saturday in April, in accordance with the state law governing elections except as modified by the provisions of the Act creating the Fort Worth Independent School District and amendments thereto and providing that the returns of the election shall be canvassed by the Board of Education and that no person shall be elected until he has complied with all applicable laws and received a majority of the votes cast in said election and in the event no candidate receives a majority of the votes in the April election a second election shall be held on the first Saturday in May succeeding the first election and only the names of the two candidates who received the highest number of votes in the April election shall be placed on the official ballots as candidates for such office at such second election and providing that the Board shall canvass the returns of the second election, declare the results thereof and issue a certificate of election to the candidate receiving a majority of the votes shown by the returns of the election; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 64, "An Act authorizing cities with a population of six hundred thousand (600,000) or more according to the then last preceding Federal Census to incur total bonded indebtedness in an amount not exceeding ten (10%) per cent of the total assessed valuation of property shown by the last assessment roll of such a city, notwithstanding the limit of total bonded indebtedness fixed in dollars by the city charter is a lesser amount; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the
Senate:

Sir: We, your Committee on En-
grossed and Enrolled Bills, to which
was referred:

S. B. No. 380, "An Act amending
Chapter 197, Acts of the 58th Legis-
lature, 1963, relating to the Port of
Port Arthur Navigation District of
Jefferson County, Texas, by adding
new sections thereto and amending
certain existing sections thereof;
giving the District additional powers;
validating said District and declar-
ing it to be a validly existing and op-
erating conservation and reclamation
district under Section 59, Article
XVI, of the Constitution of Texas;
validating all governmental proceed-
ings of its Board of Port Commis-
sioners; validating all District elec-
tions and bonds; finding that all
property in the District and in the
State of Texas is benefited by the im-
provements and facilities to be ac-
quired or constructed by the District;
enacting other provisions relating to
the subject and purpose of this Act;
providing a severability clause; re-
citing proof of publication of Con-
stitutional notice; and declaring an
emergency."

has carefully compared same and
finds it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,
March 15, 1967.

Hon. Preston Smith, President of the
Senate:

Sir: We, your Committee on En-
grossed and Enrolled Bills, to which
was referred:

S. B. No. 21, "An Act amending
Sections 1, 4, 5, and 7, Chapter 323,
Acts of the 59th Legislature, Regular
Session, 1965 (Article 6144g, Ver-
non's Texas Civil Statutes), to estab-
lish the Texas Fine Arts Commission
on a permanent basis, provide for its
meetings, permit appropriations from
state funds for the Commission and
eliminate requirement of maintaining
an office in Austin; and declaring an
emergency."

has carefully compared same and
finds it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

March 15, 1967

S. C. R. No. 33

S. C. R. No. 34

S. C. R. No. 38

S. B. No. 176

S. B. No. 21

In Memory of
Mrs. Maudie Moore

Senator Cole offered the following resolution:

(Senate Concurrent Resolution 42)

Whereas, Mrs. Maudie Moore, wife of former State Representative Carlton Moore, Sr., passed away at M. D. Anderson Hospital in Houston, Texas, on October 1, 1966; and

Whereas, She was a beloved friend of many throughout the State of Texas and a highly respected citizen of Houston; and

Whereas, She actively worked with and supported the Daughters of the American Revolution's Alexander Love Chapter of Houston, to the extent that the Daughters of the American Revolution passed a Resolution on her passing and dedicated a book in her memory to the Houston Public Library; and

Whereas, She is survived by her husband, one son, Carlton Moore, Jr., and two nephews; and

Whereas, Mrs. Moore was a fine mother and a devoted helpmate, having worked beside Representative Moore throughout his service in the Forty-Eighth through the Fifty-Fifth Legislative Sessions; and

Whereas, Her great example and exemplary conduct will be sorely missed by her family and by all who knew and respected her; now, therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, pay tribute to this truly great lady and to express its sympathy to the surviving members of her family; and be it further

Resolved, That a page be set aside in the Senate Journal in her memory, that copies of this Resolution be furnished to her survivors, and that when the Senate adjourns today it do so in memory of Mrs. Maudie Moore.

COLE.

Signed: Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson and Word.

The resolution was read.

On motion of Senator Cole and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.